

MAR 26 2007

Appl. No. 10/688,118  
Atty. Docket No. 9066M2  
Amdt. dated March 26, 2007  
Reply to Office Communication dated March 16, 2006  
Customer No. 27752

REMARKSClaim Status

Claims 1-14 are currently under consideration. No additional claims fee is believed to be due.

Claims 3 and 15-20 are cancelled without prejudice.

Claims 1, 4, 6, and 14 have been amended to recite that the softening composition comprises from about 0.0005% to about 0.05% by weight of a high molecular weight polymer. Support for this amendment is found at p. 14, lines 32-35 of the Specification.

Claims 1, 4, 6, and 14 have been amended to recite that the high molecular weight polymer comprises one or more pendant groups having a charge density of at least about 0.2 meq/g. Support for this amendment is found at p. 15, lines 14-15 of the Specification.

It is believed that these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 U.S.C. §103(a) Over WO 02/48458 in View of U.S. 3,624,019

As amended, Claims 1-2 and 4-14 are rejected under 35 U.S.C. §103(a) over Barnholtz et al (WO 02/48458 – hereinafter “Barnholtz”) in view of Anderson (U.S. 3,624,019 – hereinafter “Anderson”). The Applicants respectfully traverse this rejection on the ground that Barnholtz in view of Anderson does not provide one of ordinary skill in the art with any teaching, suggestion, or motivation to arrive at the claimed limitations, thus failing to make the *prima facie* case of obviousness. MPEP §2142, §2143; *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

As amended, Claims 1-2 and 4-14 require, *inter alia*, that the high molecular weight polymer comprises one or more pendant groups having a charge density of at least about 0.2 meq/g and wherein the high molecular weight polymer comprises from about 0.0005% to about 0.05% by weight of the composition.

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First, as amended Claims 1-2 and 4-14 recite that the high molecular weight polymer comprises one or more pendant groups having a charge density of at least about 0.2 meq/g. Barnholtz merely discloses a high molecular weight polymer, but fails to disclose what charge density the high molecular weight polymer may have. Thus, Barnholtz fails to provide any teaching, suggestion, or motivation to one of skill in the art of how to make the invention claimed in Claims 1-2 and 4-14. Anderson fails to remedy this deficiency as Anderson also fails to disclose anything about the charge density of the high molecular weight polymers. Thus, Barnholtz in view of Anderson fails to teach, suggest, or motivate one of skill in the art to arrive at the Applicants' claimed limitation regarding charge density of the high molecular weight polymer.

Next, as amended, Claims 1-2 and 4-14 recite that the high molecular weight polymer comprise from about 0.0005% to about 0.05% by weight of the composition. Barnholtz discloses the use of high polymers in the range of from about 0.01% to about 5% by weight of the composition (Barnholtz, p. 33, lines 16-24). Barnholtz contains no teaching, suggestion, or motivation to use a smaller amount of high molecular weight polymer – especially not within the range claimed by the Applicants. Anderson fails to remedy this deficiency as Anderson discloses that it is suitable for producing aqueous solutions having concentrations within the range of 0.1% to 20% by weight. Thus, Barnholtz in view of Anderson fails to teach, suggest, or motivate one of skill in the art to arrive at the Applicants' claimed limitation of the amount of high molecular weight polymer in the softening composition.

The Applicants respectfully submit that the claims, as amended, are non-obvious under 35 U.S.C. §103(a) over Barnholtz in view of Anderson because there is no teaching, suggestion, or motivation of application of a softening composition to a semi-dry tissue paper as is claimed by the Applicants.

#### Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejection under 35 U.S.C. §103(a). Early and favorable action in the case are respectfully requested.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of

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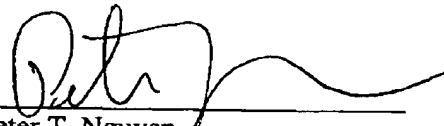
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the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1-2 and 4-14 are respectfully requested.

Respectfully submitted,

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